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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Note verbale dated 5 January 2004 from the Permanent Mission of Egypt to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Chairman of the Security Council established pursuant to resolution 1267 (1999), and with reference to his note dated 21 November 2003, has the honour to submit the enclosed updated report of the Arab Republic of Egypt to the Committee in response to paragraph 6 of resolution 1455 (2003) (see annex).

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Annex

[Original: Arabic]

Reply of the Arab Republic of Egypt to the questions raised by the Security Council Committee established pursuant to resolution 1267 (1999) concerning al-Qa'idah and the Taliban and associated individuals and entities*

1. Please provide a description of activities, if any, by Osama bin Laden, al-Qa'idah, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.

According to the information available, the investigations carried out in Egypt and the security cooperation established with various countries of the world, there is as yet no proof that Osama bin Laden, al-Qa'idah and the Taliban are engaged in any activities in the Arab Republic of Egypt.

The competent security apparatuses in Egypt are taking all legal, precautionary and security measures to track terrorist activities at the domestic level in order to detect, prevent and abort any threats from terrorist organizations at home and abroad.

The activities of the terrorist Osama bin Laden, al-Qa'idah and the Taliban at the international level are monitored through coordination with international organizations and cooperating security apparatuses worldwide, as well as through such information as may be obtained by way of the Security Council committees concerned with implementation of the Security Council resolutions on counter-terrorism, in order to detect and prevent any movements, activities or threats which may be directed at our own country or at any other country of the world.

Egypt promptly notifies countries which may be vulnerable to terrorist activities of the information available to the Egyptian security apparatuses.

Tough legal, administrative and security measures are being taken to counter non-Egyptian terrorist elements suspected of association with terrorist organizations (foreign and Egyptian organizations and elements of those organizations who have fled the country).

2. How has the 1267 Committee's list been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?

The Arab Republic of Egypt has every faith in the efforts of the United Nations to contain the phenomenon of international terrorism and eliminate the spectre of terrorism threatening the international community. It is also fully compliant with paragraph 4 (b) of Security Council resolution 1267 (1999), paragraph 2 (a) of Security Council resolution 1390 (2002) and paragraph 4 of Security Council resolution 1455 (2002) concerning the freezing of funds and other financial resources connected with the Taliban, al-Qa'idah and Osama bin Laden and with other individuals and entities belonging to or associated therewith and included in the consolidated list. In that context, it wishes to highlight those parts of its domestic legislation through the enforcement and practice of which full implementation of the said paragraphs of the aforementioned Security Council resolutions is achieved. These are as follows:

* Appendices are on file with the Secretariat and are available for consultation.

I. The Egyptian Penal Code

The Egyptian legislator introduced Act No. 97 of 1992, known as the Terrorism Act, which is incorporated within section II, articles 86-102, of the Penal Code. Under these articles, all forms of terrorism and the financing thereof are criminalized, as are all forms of assisting, instigating and acquiescing in the perpetration or attempted perpetration of such.

In that regard, it is worthy of note that, under article 30 of the Penal Code, a court which hands down a punishment for a felony or misdemeanour is permitted to order the confiscation of items derived from or used in the crime. Article 98 of the same Code also requires the confiscation of assets which prove to be earmarked for expenditure on terrorist organizations and groups.

Pursuant to the two aforementioned articles, as soon as information is received concerning any of the individuals or entities included in the list, the investigating authority makes inquiries, examines all of the financial and economic assets and resources relevant to those individuals or entities and takes a decision on whether to seize and freeze such assets forthwith.

II. The Suppression of Money-Laundering Act No. 80 of 2002, as amended by Act No. 78 of 2003

In line with the efforts of the Egyptian Government to introduce measures to combat the crime of money-laundering, which is a key conduit for the financing of terrorist entities, the Egyptian legislator addressed the phenomenon by promulgating, on 22 May 2002, the Suppression of Money-Laundering Act, article 6 of which states that: "A special independent unit to combat money-laundering shall be established within the Central Bank."

Article 4 of the same Act defines the competences of the unit, which include the receipt of notifications from financial institutions concerning operations in which money-laundering is suspected, the establishment of a database and the exchange of information with the country's monitoring authorities, with the competent authorities in foreign States and with international organizations, in accordance with Security Council resolutions, the conventions to which Egypt is party and the principle of reciprocity.

In accordance with article 5, the unit carries out investigations and inquiries, reports its findings to the Office of the Attorney-General and may request the latter to take precautionary measures to freeze funds of a nature or origin suspected of constituting a punishable offence under the Act, as well as prevent the disposal of such funds by the individuals or entities to whom they belong or are remitted.

Under article 8, financial institutions are required to notify the said unit of financial operations in which money-laundering is suspected. In addition, no such institution may open accounts, link deposits or accept funds or deposits which are unknown or held under false or assumed names.

In that regard, it is worthy of note that, under article 98 of the Central Bank Act No. 88 of 2003, the Attorney-General or, at minimum, his delegated first advocate general, may, at his discretion or at the request of an official authority or interested party, request the Cairo Court of Appeal to order the examination of or access to data or information relating to accounts, safe deposit boxes, deposits, trusts and transactions connected therewith where necessary in order to uncover the facts about a felony or a misdemeanour concerning which there is serious evidence of its perpetration.

Accordingly, the Central Bank Act No. 88 of 2003 allows for the disclosure of confidential accounts in the event that the security or judicial authorities wish to contest the illegal entry of funds and any related money-laundering as a preliminary to the seizure and freezing of such funds.

In addition, articles 18 and 19 of the Suppression of Money-Laundering Act permit, within the framework of international judicial cooperation, the adoption of such legal measures as are necessary to trace, freeze and confiscate laundered funds or the proceeds therefrom.

The names and entities included in the list are consequently subject to that legislation and its enforcement mechanisms, which prevents the siphoning of economic resources and funds to financial institutions in the Arab Republic of Egypt on the one hand and also means that all such funds are frozen as soon as notification of their origin or beneficiary is received.

III. The Civil Associations and Institutions Act No. 84 of 2002

In the context of tightening the monitoring and control of remittance systems so that they are unconnected with operations to finance terrorist-linked individuals and entities and in that of regulating the activity of civil associations and institutions, the Egyptian legislator promulgated the Civil Associations and Institutions Act No. 84 of 2002, which lays down special conditions for monitoring the establishment of such associations. Such conditions include those contained in article 11 prohibiting the establishment of secret associations which are engaged in forming military organizations or in threatening national unity. Article 17 of the same Act allows such associations to accept, with the approval of the administrative authority, donations from individuals or bodies corporate located outside the country.

Under article 22, associations are required to deposit their cash funds in the name under which they are registered.

Under article 42 of the above-mentioned Act, the competent minister is entitled to dissolve such associations if they dispose of or earmark their funds for purposes other than those specified, if they obtain funds from or send or remit funds to a foreign party without official permission from the competent authority, or if they collect donations contrary to the provision of article 17 of the Act.

On the above basis, notification of the consolidated list to the authorities concerned with implementing and enforcing the articles of the Act ensures that none of the individuals or entities included in the list and whose activity is suspect is financed by obtaining funds from or sending funds to a foreign party.

IV. The Socialist Public Prosecutor Act No. 34 of 1971, as amended by Act No. 95 of 1980, regulating the imposition of custodianship and ensuring the safety of the people

This piece of legislation represents another form of tightening the monitoring and control of acts and deeds liable to damage the country's national interest, as well as any related ways of financing the persons carrying out such acts and any inflation in assets derived by those persons from such acts. The Egyptian legislator thus introduced the system of the socialist public prosecutor, upon whom he conferred the task of instigating proceedings to take custodianship of such assets in accordance with the conditions stipulated in the Act.

Highlighting the articles of the Act connected with the imposition of custodianship over assets having a suspicious origin or purpose of use, we find that article 2 permits the imposition of custodianship over all or some of a person's assets in order to avert risk to the community if there is evidence to show that they are derived from acts which are liable to damage the country's internal or external security or the economic interests of the community.

Article 3 also provides that custodianship may be imposed over all or some of a person's assets if there is serious evidence that they have been inflated, whether by the person himself or whether by a third party. Custodianship may also be imposed over any asset under that person's *de facto* control, even if it is in the name of his spouse, his minor or adult children or another person, if he is the source of the asset for any of the following reasons:

1. Exploitation of rank, office, representative capacity, grass-roots capacity or influence;

2. Use of fraud, collusion or bribery in connection with the execution of building contracts, supplies, public works, public works units or any public body corporate;

3. Smuggling or trafficking of narcotic drugs;

4. Trade in prohibited articles or on the black market or tampering with food or medications;

5. Misappropriation of public or private assets owned by the State or by bodies corporate.

Article 4 also states that custodianship may be imposed, in accordance with the provisions of the Act, over the assets of bodies corporate if one of the reasons stipulated in the above two articles obtains in their regard.

It is worth noting that, in some matters, swift decisions are required to seize and freeze assets as temporary measures falling within the realm of the preventive measures employed by the competent authorities in that regard.

In that connection, we refer to article 7 of the said Act No. 34 of 1971, which states that: "If the public prosecutor has gathered strong evidence that a person has performed one of the acts stipulated in articles 2 and 3 of this Act, he may order the seizure of such assets, prohibit their disposal or administration and take such precautionary measures as he considers fit in that respect. Should he deem it necessary, he may order the same measures to be taken in respect of the assets of the person's spouse or of his minor or adult children."

As stated in the explanatory note to the draft of the said Act, the substance of this provision is consistent with the magnitude of such acts, their danger to society and the need for swift and immediate measures to ensure that such assets are frozen in order to prevent their unlawful disposal or use.

Accordingly, the mere availability of evidence to indicate that a person has a relationship or connection with any of the individuals or entities whose names are included in the consolidated list and that he is being financed with a view to the perpetration of any of the unlawful acts mentioned in the Act is in itself sufficient for the above-mentioned legal measures to be adopted, in accordance with the provisions of the Act, and for his assets to be seized and frozen, thereby achieving the purpose of this piece of legislation.

It is worthy of note that the Arab Republic of Egypt has signed the United Nations Convention against Organized Transnational Crime (Palermo, 1999) and that Republican Decree No. 194 of 2003 was promulgated in order to complete the procedures for its ratification. As soon as it is ratified, in accordance with article 151 of the Egyptian Constitution, it is regarded as an enforceable part of Egyptian legislation to which the same applies as to all national legislation.

N.B.:

We wish to make the general comment that the Central Bank of Egypt, in accordance with its role stipulated in article 6 (d) of Act No. 88 of 2003 concerning the monitoring of banking units and financial institutions in the Arab Republic of Egypt and of their Egyptian branches abroad, is bound to implement the Security Council resolutions on suppression of the financing of terrorism, in particular resolution 1267 (1999), as it is under obligation to notify all financial institutions of the freezing of any financial assets belonging to individuals and entities whose names are included in the consolidated list drawn up by the Committee established pursuant to that resolution.

The above completes the review of all those legislative acts in force in the Egyptian legal system within which the 1267 Committee list is incorporated and of which the enforcement mechanisms are required to seize and freeze all economic and financial assets belonging to individuals and entities whose names appear on that list.

As for financial supervision, police, immigration control, customs and consular authorities, the response will be covered in the reply to the questions which follow.

3. Have you encountered any problems with implementation with regard to the names and identifying information as currently included in the list? If so, please describe these problems.

In accordance with the Egyptian laws governing the entry of aliens to the territory of the Arab Republic of Egypt and with the decrees regulating those laws, bulletins incorporating travel-ban lists, pre-arrival screening lists and checklists are circulated, using dedicated forms which comprise the following: the Arabic name, consisting of a minimum of three components and transliterated into Latin characters; the family name in cases where the name is given in Latin characters; date of birth (day-month-year); place of birth; particulars of nationality; occupation; place of residence; action to be taken). These bulletins are circulated to all concerned monitoring, security and banking authorities, including the customs authorities.

N.B.: The Security Council list, concerning which full measures have been taken to implement, is lacking some of the key information, mentioned above, that is essential to the achievement of a positive outcome.

We would also like to be provided with the aliases which may be employed by the elements included in the list in view of the fact that terrorist organizations habitually use forged papers and documents to travel between countries.

4. Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.

The list includes the names of 17 persons of Egyptian nationality. The results of the check are appended hereto (appendix 1).

As for the entities (organizations) contained in the list, there is as yet no evidence that they are engaged in any activity in the territory of the Arab Republic of Egypt.

The entities contained in the list also include the terrorist Jihad organization, in which regard the following is stated:

- During the 1970s, the organization was able to form a pyramid structure. The leadership of the organization is assumed by the terrorist Ayman Rabi' al-Zawahiri, assisted by a command group whose members have fled the country;

- The ideology of the Jihad organization is based on a set of extremist ideas which sanction the use of violence by way of assassinations, explosions, the abduction of prominent figures, hostage-taking, etc.).

- The activity of the organization is based on intense secrecy achieved by means of the following: use of fictitious and code names; division of the organizational structure into disjointed clusters, the leadership of which communicates by means of go-betweens or dead drops at mutually arranged times; and use of unconventional techniques for encrypting and channeling communications;

- The leaderships and core members of the organization took it upon themselves to carry out a number of terrorist operations performed with the maximum levels of violence;

- The leaderships and elements of the organization who have fled abroad are using various countries of the world as their centres of location and activity;

- During 1998, the organization joined forces with theWorld Islamic Front for Jihad Against Jews and Crusaders under the leadership of Osama bin Laden.

It is worth noting that the competent security authorities in Egypt are taking all legal, precautionary and security measures to track terrorist activities at the domestic level in order to detect, prevent and abort any threats from terrorist organizations at home and abroad.

5. Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Osama bin Laden or members of the Taliban or al-Qa'idah that have not been included in the list, unless to do so would compromise investigations or enforcement actions.

It has been established that the terrorist leader Ayman Muhammad Rabi' al-Zawahiri and some of his Jihad agents are associated with al-Qa'idah and that he assists the terrorist Osama bin Laden.

6. Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion on the list? Please specify and elaborate, as appropriate.

No instances of any listed individuals or entities having brought a lawsuit or engaged in legal proceedings for inclusion on the list have been detected. The Committee will be notified of any such proceedings as soon as they are detected.

7. Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the list? If so, please provide this information to the Committee, as well as similar information on listed entities, as available.

The information which can be added to the names included in the list relates to the Egyptian elements (a list of 17 elements is appended hereto) and comprises a revision of the data contained therein (appendix 1).

8. According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting al-Qa'idah members in carrying out activities inside your country, and to prevent individuals from participating in al-Qa'idah training camps established in your territory or in another country.

It should be stated that article 86 bis (d) of the Egyptian Penal Code provides that: "Any Egyptian who, without written authorization from the competent government authority, cooperates with or joins the armed forces of a foreign State or cooperates with or joins any terrorist association, body, organization or group, however designated, which has its headquarters outside the country and which has adopted terrorism or military training as means of achieving its purposes, even if its activities are not directed at Egypt, shall be punished by imprisonment with hard labour. The punishment shall be life imprisonment with hard labour if the offender receives military training in such groups or participates in operations of theirs which are not directed at Egypt."

It has been shown that there are no military installations or training camps for terrorist organizations, including al-Qa'idah, in the territory of the Arab Republic of Egypt. Furthermore, the Egyptian authorities enforce the counter-terrorist laws and legislation, which criminalize military training, in addition to the security measures applicable in that regard, notably the following:

- Egypt's prompt adoption of a number of stern security and legal measures to abort the activities of terrorist organizations at home and abroad and crush their organizational structures;

- The adoption of stringent legal, administrative and security measures to counter non-Egyptian terrorist elements suspected of association with foreign terrorist organizations, Egyptian terrorist organizations or elements of such organizations who have fled the country;

- Profitable use of the positive relations with various international security organizations to establish and update, on a constant basis, an information base of all non-Egyptian terrorist organizations and incorporate the elements belonging to such organizations in the pre-arrival screening lists and the lists which ban entry to the country from its legal access points;

- Egypt's prompt warning to all States having detected information concerning terrorist elements in safe haven of the importance of arresting or deporting such elements or, at the very least, handing them over to the judicial authorities in the said States;

- On that basis, non-Egyptian terrorist organizations and their core members have been made to feel that it is difficult for them to use Egyptian territory as a hiding place or as a location for organizational centres from which to direct their terrorist activities or launch their plans.

9. Please describe briefly:

- **The domestic legal basis to implement the asset freeze required by the resolutions above;**

- **Any impediments under your domestic law in this context and steps taken to address them.**

Details of the domestic legal basis to implement the asset freeze have already been given in the reply to the second question. There are, however, currently no impediments in this context.

10. Please describe any structures or mechanisms in place within your Government to identify and investigate Osama bin Laden, al-Qa'idah or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.

In the light of the detailed reply given to the first question, no financial networks providing support to Osama bin Laden, al-Qa'idah, the Taliban or any individuals or entities associated with them have been detected. In the event that any such networks are detected, by coordinating with the competent regional and international authorities and the bank-monitoring apparatuses in various countries at the regional and international level, Egypt's concerned authorities are immediately notified to take the necessary legal action in accordance with the legislation already mentioned.

11. Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Osama bin Laden or members of al-Qa'idah or the Taliban, or associated entities or individuals. Please describe any "due diligence" or "know your customer" requirements. Please indicate how these requirements are enforced, including the names and activities of agencies responsible for oversight.

In regard to the first part of the question, in the light of the reply to the first question, there are no financial assets or resources attributable to Osama bin Laden or members of al-Qa'idah or the Taliban, or associated entities or individuals. In the event that any such assets or resources are detected, the legal measures in their regard are taken in accordance with the domestic legislation already mentioned.

As for the second part of the question concerning the "know your customer" requirements, on 14 February 2003, the Central Bank of Egypt issued Circular No. 372 notifying all registered banks, bureaux de change and money-remittance firms in Egypt of the monitoring controls to which such financial institutions are required to adhere in opening accounts and conducting banking business. An official copy of that Circular is appended to this report. All financial institutions are required to conduct their banking business guided by the monitoring controls established by the Central Bank in that regard (appendix 2).

The bank-monitoring sector and its competent departments are responsible for following up the implementation of those requirements with a view to tightening the monitoring of all banking operations carried out by financial institutions, including banks operating in Egypt, their branches abroad and the branches of foreign banks operating in Egypt.

12. Resolution 1455 (2003) calls on Member States to provide "a comprehensive summary of frozen assets of listed individuals and entities." Please provide a list of the assets that have been frozen in accordance with this resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2001) and 1390 (2002). Please include, to the extent possible, in each listing the following information:

- **Identification(s) of the person or entities whose assets have been frozen;**

- **A description of the nature of the assets frozen (i.e., bank deposits, securities, business assets, precious commodities, works of art, real estate property, and other assets);**

- **The value of assets frozen.**

In the light of the above replies, no financial assets or resources of individuals and entities whose names are included in the consolidated list have been detected. In the event that any such assets are detected through the follow-up mechanisms for the implementation of laws, decrees, regulations and Security Council resolutions, the necessary action will be taken to seize and freeze them.

It should, however, be taken into consideration that an account in the name of the Society for the Revival of Islamic Heritage was previously frozen in view of the similarity of its name with that one of the associations included in the consolidated list. The Ministry of Foreign Affairs was officially notified of this through the Central Bank of Egypt.

The Ministry of Foreign Affairs was then subsequently informed that the consolidated list issued by the 1267 Committee provides only for freezing of the assets of the Society's offices in Pakistan and Afghanistan.

The assets of the aforementioned Society were therefore unfrozen, particularly since the bank at which those accounts are held stated that the Society's transactions on its current account were internal and that no foreign transactions or remittances had been made. Furthermore, its account is unconnected with foreign offices in other foreign States, meaning that the purpose of freezing its funds and assets does not apply.

13. Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that had previously been frozen as being related to Osama bin Laden or members of al-Qa'idah or the Taliban or associated individuals or entities. If so, please provide reasons, amounts unfrozen or released and dates.

The reply to the second part of the previous question mentions the only case in which such funds and assets, namely those belonging to the Society for the Revival of Islamic Heritage, have been frozen. The funds of that Society were unfrozen on the basis of information received by the Egyptian Ministry of Foreign Affairs that the 1267 Committee list provides only for freezing of the assets of the Society's offices in Pakistan and Afghanistan. In addition, it was established that this Society makes no foreign transactions or remittances and has no connection with foreign offices in other foreign States.

14. Pursuant to resolutions 1455 (2003), 1390 (2001), 1333 (2000) and 1267 (1999), States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities. This section should include a description of:

- **The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of al-Qa'idah or the Taliban. This section should include an indication of the types of institutions informed and the methods used;**

- **Required bank-reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are reviewed and evaluated;**

- **Requirements, if any, placed on financial institutions other than banks to provide STR, and how such reports are reviewed and evaluated;**

- **Restrictions or regulations, if any, placed on the movement of precious commodities such as gold, diamonds and other related items;**

- **Restrictions or regulations, if any, applicable to alternate remittance systems such as — or similar to — "*hawalah*", as well as on charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.**

The previous replies have already indicated that none of the listed individuals or entities have been detected inside the Arab Republic of Egypt. Consequently, there is no scope for any immediate discussion of financing, support or availability of funds at the domestic level.

Moreover, the reply to the second question reviews the domestic laws applied in order to tighten the control of such funds and seize and freeze them in the event that any link with listed individuals or entities is detected. In that regard, we would point out that the Central Bank of Egypt, in accordance with its role of monitoring financial institutions in the Arab Republic of Egypt and their Egyptian branches elsewhere, already explained at the end of the reply to the second question, has notified such institutions of the ban imposed on the individuals and entities designated by the Committee in the consolidated list. The types of financial institutions notified are as follows:

1. Banks operating in Egypt, their branches abroad and branches of foreign banks operating in Egypt;

2. Bureaux de change and other agencies licensed to deal in foreign currency;

3. Remittance agencies;

4. Securities agencies;

5. Agencies handling money receipts;

6. The Postal Savings Fund;

7. Agencies engaged in mortgaging or in mortgage-related securitization;

8. Agencies engaged in financial leasing;

9. Factoring agencies;

10. Agencies engaged in any type of insurance activity, private insurance funds and insurance brokerage.

The Central Bank of Egypt regularly provides official notification to the above-mentioned financial institutions of updates to the consolidated list on the basis of information received from the Security Council committee responsible for preparing the list.

In accordance with the monitoring controls laid down by the Central Bank on 19 February 2002 and the official notification to banks to apply those controls, a senior management officer is designated to provide information, by way of suspicious transaction reports, concerning operations of a dubious nature or in which money-laundering is suspected. The money-laundering unit is also notified of such reports by way of dedicated forms to which all particulars and copies of documents relating to the operations in question are attached.

The report or notification must include details of the reasons or motives on which the bank based its suspicion that the operation involves money-laundering.

As for other financial institutions, the above directives equally apply; the executive directors of such institutions are required to follow the same procedures as those mentioned above in the event of doubt or suspicion concerning any of the operations carried out through those institutions.

Moreover, in accordance with the monitoring controls laid down by the Central Bank, the competent financial institutions must devote particular attention to obtaining full particulars and information on operations associated with the movement of precious commodities, such as jewellery and gold, and report any such operations which give rise to suspicion.

On another note, remittance systems such as *hawalah* are subject to the same restrictions and monitoring procedures referred to in the previous replies. In regard to remittances and transactions associated with charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social and charitable purposes, in addition to being subject to the same legislation governing the control of assets, they are specifically regulated by the Civil Associations and Institutions Act No. 84 of 2003, which has already been reviewed in detail in the reply to the second question.

15. Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.

The Department of Passports, Immigration and Nationality of the Egyptian Ministry of the Interior is responsible for implementing the laws and regulating decrees connected with the listing of individuals, in conjunction with the concerned authorities in the country, in particular the Office of the Attorney-General.

A special travel-ban list is kept at all points of entry to the country (land, sea and air). The list is automatically updated on a constant daily basis, as all entry points (ports, airports and land accesses) are linked to the Department of Passports, Immigration and Nationality.

As for the legislative and administrative framework for the regulation of this matter, it is noteworthy that decisions to ban travel and incorporate entries in the pre-arrival screening lists are regulated by Ministerial Decree No. 2214 of 1994 issued by the Ministry of the Interior in the light of the Passports Act No. 98 of 1959 and Act No. 89 of 1960 concerning the entry to, residence in and exit from the territory of the Arab Republic of Egypt by aliens. Article 1 of the said Ministerial Decree mentions the competent authorities concerned with issuing such decisions. These are as follows:

- Courts in their delivery of enforceable rulings and orders;
- The socialist public prosecutor;
- The Attorney-General;
- The Assistant Minister of Justice for illicit gain;
- The chief of the General Intelligence Service;
- The chief of the Administrative Control Authority;
- The director of the Department of War Intelligence and the director of the Armed Services Department of Personal Affairs and Social Service;
- The military public prosecutor;
- The Assistant Chief Minister of the Interior for the State Security Investigations Sector;
- The director of the Department of Public Security, with the approval of the Minister of the Interior.

16. Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.

All of the names contained in the Committee's list have been included in the pre-arrival screening lists kept at each point of entry to the country.

The reply to the third question has already mentioned the problems encountered by the authorities concerned in applying the required measures.

17. How often do you transmit the updated list to your border control authorities? Do you possess the capability of searching list data using electronic means at all your entry points?

The following can be said in regard to the capability of searching list data using electronic means at all entry points:

- Manual electronic means are employed at several of the country's entry points (ports and airports). Departure and arrival traffic through the entry points which use electronic equipment constitutes 91.4 per cent of the country's total number of departures and arrivals.

18. Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information, as appropriate.

Individuals transiting the country remain in transit lounges and are not permitted access to the country from its entry points (on grounds of security or for reasons relating to air traffic, passengers remain in such lounges for limited periods, during which time they are subject to security control). They are not therefore checked against the lists.

Transit passengers wishing to enter the country must present their passports for the completion of entry procedures, at which time the general directives concerning the method of checking lists and the possession of entry visas are applicable.

19. Please provide an outline of the measures, if any, taken to incorporate the list in the reference database of your consular offices. Have your visa-issuing authorities identified any visa applicant whose name appears on the list?

Our consulates abroad are provided with the list of non-Egyptians who are banned from entry and all general consulates and embassy consular sections are notified of that list (143 consulates).

The entry-ban list is updated by means of daily bulletins; it is sent to the Department of Information at the Ministry of Foreign Affairs, which then circulates it to all consulates on a daily basis.

20. What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Osama bin Laden, members of al-Qa'idah organization and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?

The Egyptian Weapons and Ammunition Act No. 394 of 1954, as amended, regulates the manufacture, storage, trade, refurbishment and transport of weapons. The Act also prohibits the possession or acquisition of weapons by individuals, except in special cases requiring a series of procedures, as well as certifications from the responsible authorities. Similarly, the State regulates the internal weapons trade by laying down the conditions to be met whereby companies engaging in such activity are subject to direct security control. It specifies the types of weapons which may be traded, all of which are small weapons for personal defence. The weapons stockpile is controlled by keeping the weapons in depots which meet all the requirements for ensuring the stockpile against all risks. Appropriately well-qualified security managers are appointed to safeguard such weapons depots and regular spot inventories are planned and carried out in order to check that the weapons stocks are complete. It is also worth noting that weapons which are surplus to requirement are disposed of by sale or donation to friendly States in a manner compatible with the rules of international legitimacy. Weapons surplus to requirements are also dismantled and the steel reused for other purposes. Raw materials for the manufacture of weapons are disposed of under close supervision and are exported and imported exclusively through the State, with the approval of the sovereign authorities. Weapons may not be transported from place to place within the State without the authorization of those authorities. The State also complies with its bilateral agreements to notify the State from which weapons are imported in the event that they are re-exported to a third State.

21. What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Osama bin Laden, members of al-Qa'idah organization and the Taliban and other individuals, groups, undertakings and entities associated with them?

It has already been mentioned in the previous replies that no activity associated with Osama bin Laden, al-Qa'idah organization and the Taliban has been detected inside the Arab Republic of Egypt. In the event, however, that any such activity relating to the possession or acquisition of weapons and ammunition is detected, whether carried out by the above targets or by individuals or entities associated with them, the responsible security authorities undertake the necessary legal action in that regard in accordance with the provisions of the Weapons and Ammunition Act No. 394 of 1954, as amended, details of which we shall set forth in the reply to question 23.

22. Please describe how your arms/arms broker licensing system, if any, can prevent Osama bin Laden, members of al-Qa'idah organization and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.

Since weapons are prime among the effective means of perpetrating crimes, the Egyptian legislator was careful to lay down rules on the bearing and acquisition of weapons and to regulate their trade, import and manufacture under Act No. 394 of 1954, as amended. The Act is divided into three sections, dealing first with the possession and acquisition of weapons and ammunition, followed by their import and trade, and lastly by

penalties and general provisions. The main general rules for which the legislator made provision in the Act are perhaps as follows:

1. The Minister of the Interior is empowered to amend the schedules annexed to the Act by issuing a decree to supplement or delete their contents, with the exception of the list of weapons contained in schedule 2, section II, which may be amended only by supplementing its contents (appendix 3);

2. Licensing of the weapons listed in schedule 3, section II, annexed to Act No. 394 of 1954, as amended, namely guns and machine guns, is prohibited;

3. The unlicensed possession or acquisition of major parts for the firearms mentioned in schedule 4, annexed to Act No. 394 of 1954, is prohibited;

4. Article 12 prohibits import of the weapons stipulated in article 1 without licence from the Minister of the Interior and of the ammunition for such weapons, as well as their trade, manufacture or refurbishment. It also provides that licences shall be valid for one year, which is renewable, and permits the Minister or his appointed deputy to refuse a licence. The period of licence may be curtailed and the licence itself may be confined to specific types of weapons and ammunition or may be limited in accordance with conditions deemed appropriate on grounds of public security. It may be withdrawn at any time or revoked, provided that there is reason for the decision to do so;

5. Under article 13, authorized trade in licensed weapons and ammunition is restricted to urban areas, as is the manufacture or refurbishment of all types of weapons and ammunition, and the Minister of Interior is empowered to issue a decree specifying the number of licences allocated to each governorate or directorate and the conditions which he deems it necessary for the licensed firms to fulfil;

6. Article 16 allows for specification, by decree of the Minister of the Interior, of the quantity of the weapons listed in schedule 2, section I, which the supplier or trader is annually permitted to handle, as is also the case with the ammunition necessary for such weapons;

7. Article 17 provides for the confiscation of weapons imported without administrative licence;

8. Article 18 stipulates that licences may not be granted to firms trading in weapons and ammunition in such squares, streets and roads as are designated by decree of the Minister of the Interior.

Section III of Act No. 394 of 1954, as amended, deals with penalties and general provisions. Its main substance in regard to trade in weapons and ammunition is perhaps the provision for the punishment of unlicensed traders in bladed weapons with a fine. The punishment is imprisonment and a fine for any person who, without licence, trades, imports, manufactures or refurbishes any of the firearms stipulated in schedule 3. The punishment is imprisonment with hard labour if the weapon is one of those stipulated in schedule 3, section I (...) and similarly if the weapon is one of those stipulated in schedule (...), section I (b) or section II. The punishment extends to the death penalty for anyone who, on his own account or through an intermediary, possesses or acquires any of the bladed weapons listed in schedule 2 and schedule 3, section I, with intent to use them in any activity which breaches public security or undermines the system of government, the principles of the Constitution, the basic rules of human society, national unity or social calm.

In addition to the above, the Minister of the Interior issued Decree No. 157 of 1964 specifying the quantity of weapons and ammunition which traders are annually permitted to handle and Decree No. 19084 of 1985 concerning the conditions of licence for firms which trade in weapons and ammunition and for firms which refurbish weapons. The director of the Department of Public Security also issued Decree No. 2095 of 1977 specifying the quantity of weapons and ammunition in which trade is permitted.

23. Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Osama bin Laden, members of al-Qa'idah organization and the Taliban and other individuals, groups, undertakings and entities associated?

The reply to the previous two questions indicated that the national legislation covers the regulation of all matters relating to weapons and ammunition, whether those produced inside the Arab Republic of Egypt or those imported from abroad, since exports and imports take place only through the State and only then with the approval of the sovereign authorities therein. Such legislation also regulates matters pertaining to the manufacture, storage and trade of weapons. The regulations implementing those laws comprise the necessary conditions and measures in that regard insofar as any activity relating to weapons and ammunition is subject to direct security control in order to prevent the diversion of such items to illicit channels.

24. Would your State be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.

The Arab Republic of Egypt spares no effort in providing all the necessary assistance within the frameworks of international cooperation agreements in criminal matters or security agreements, or in accordance with multilateral international conventions or the principle of reciprocity. Its purpose in doing so is to create a model framework for international and regional cooperation in matters of counter-terrorism.

Full lists of the counter-terrorism training courses recently prepared by Egypt for Arab and African States and for the Commonwealth of Independent States are appended hereto (appendix 4).

25. Please identify areas, if any, of any incomplete implementation of the Taliban/al-Qa'idah sanctions regime, and where you believe specific assistance or capacity-building would improve your ability to implement the above sanctions regime.

Additional information concerning the particulars and identities of the individuals included in the consolidated list should be made available, including names, where possible, consisting of four components, date and place of birth, place of residence, original and acquired nationality, if any, as well as assumed names or code names, given that individuals and elements from terrorist organizations habitually use forged documents to travel between countries. The listed individuals can thus be subject to thorough security monitoring and the necessary legal action can be taken in their regard by applying the sanctions regime imposed on the Taliban and al-Qa'idah.

26. Please include any additional information you believe pertinent.

No additional information is available.